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09/941,072	08/28/2001	David Goodman	**19-0088	5656

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EXAMINER	
LEROUX, ETIENNE PIERRE	
ART UNIT	PAPER NUMBER
2161	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/941,072	GOODMAN ET AL.	
	Examiner	Art Unit	
	Etienne P. LeRoux	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 October 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 6-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 6-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Status

Claims 1-4, and 6-43 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 6-8, 20, 24-27, 33, 35, 40, 41 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enari (US 6,747,998) in view of Petteruti et al (US 6,411,397).

Regarding claim 1, 20, 24, 25, 26, 33, 35, 40, 41, Enari discloses:

determining that the storage medium has not been assigned a unique volume label and a unique storage medium label, the unique storage medium label uniquely identifying the storage medium [Enari, col 6, lines 1-65, CD is ordered from a dealer, CD stock control server stores information onto hard disk 122, CD management number is generated, bar code labels from the bar code printer 128, unique volume label = CD management number, unique storage medium label = bar code label, specification, Fig 8, paragraph 71]

updating a database with an association between each file stored on the storage medium and the storage medium [Enari, Fig 11, col 6, lines 1-65, all information related to the CDs is stored in the database on the hard disk 122, col 9, lines 15-40]

determining that at least one file contained on the storage medium has been added or deleted; and

updating the database to reflect each added or deleted file [Enari, col 6, lines 1-65]

Enari discloses the elements of the claimed invention as noted above but does not disclose providing a command to generate the unique storage medium label based on the unique volume label, the unique storage medium label to be associated with an external portion of the storage medium. Petteruti discloses providing a command to generate the unique storage medium label based on the unique volume label, the unique storage medium label to be associated with an external portion of the storage medium [Fig 3, col 6, lines 5-40]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enari to include providing a command to generate the unique storage medium label based on the unique volume label, the unique storage medium label to be associated with an external portion of the storage medium as taught by Petteruti for the purpose of printing labels for the stock [abstract]

Regarding claim 6, the combination of Enari and Petteruti discloses wherein the label based on the unique label identifier is a bar code label [Enari, col 6, lines 1-65]

Regarding claim 7, the combination of Enari and Petterutti discloses wherein the act of determining a unique volume label is based, at least in part, on state information accessible to the read/write machine [Enari, col 6, lines 1-65]

Regarding claim 8, 27, the combination of Enari and Petteruti discloses wherein the state information is a count sequence [Enari, col 6, lines 50-65]

Regarding claim 43, the combination of Enari and Petteruti discloses the elements of the claimed invention as noted above but does not disclose updating the database based on files deleted from the storage medium. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the above combination of references to include above limitation for the purpose of maintaining data integrity between the database and the storage medium.

Claims 2, 3, 10-17, 19, 21-23, 29-32, 34, 36, 37, 39 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Enari and Petteruti and further in view of Haneda (US 6,243,171)

Regarding claim 2, 21, the combination of Enari and Petteruti discloses the elements of the claimed invention as noted above but does not disclose synchronizing the database with a database on a device apart from the read/write machine [reading the bar code on the user's disk, comparing identification codes and printing photographs, col 20, lines 50-60]. Haneda discloses synchronizing the database with a database on a device apart from the read/write machine [reading the bar code on the user's disk, comparing identification codes and printing photographs, col 20, lines 50-60]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include above limitation for the purpose of scanning information and then storing the information which was scanned.

Regarding claim 3, 13, 32 the combination of Enari, Petteruti and Haneda discloses the read/write machine is a personal computer [Haneda, Fig 2, 30] and the device is a handheld device [Haneda, bar code reader 36, col 19, lines 5-15]

Regarding claim 4, 22, 23, the combination of Enari, Petteruti and Haneda discloses wherein the device is an untethered handheld device [Haneda, bar code reader 36, col 19, lines 5-15]

Regarding claim 10, 29 the combination of Enari, Petteruti and Haneda discloses accepting information read from a label associated with the storage medium without reading the storage medium, converting the accepted information into a database key, requesting records from a database instance using the database key, accepting records in response to the request and rendering information about the accepted records [Haneda, Fig 2, col 19, lines 7-20, col 20, lines 50-55]

Regarding claim 11, 30, the combination of Enari, Petteruti and Haneda discloses wherein the label associated with the storage medium is a bar code and wherein the information read from the label is accepted from a bar code scanner [Haneda, Fig 2, 36].

Regarding claim 12, 31, the combination of Enari, Petteruti and Haneda discloses wherein the information about the accepted records rendered includes file names [Haneda, Fig 14, 15].

Regarding claim 14, the combination of Enari, Petteruti and Haneda discloses wherein the read label is converted into a database key by the handheld device, the records are requested from a database instance using the database key by the handheld device, and the records are accepted in response to the request by the handheld device [Haneda, Fig 2, col 23, lines 13-18, roll of film is specified by selecting its pet name]

Regarding claim 15, the combination of Enari, Petteruti and Haneda discloses accepting at least one search parameter from a set, the set comprising, file name, file size, file author and file type [Haneda, col 22, lines 5-20] generating a query based on the search parameters [Haneda, col 22, lines 5-20] accepting one or more records returned in response to the query generated [Haneda, col 22, lines 20-25] determining at least one label corresponding to each record [Haneda, col 22,

lines 5-30] determining an external storage medium corresponding to each label [Haneda, col 22, lines 55-65]

Regarding claim 16, 36, the combination of Enari, Petteruti and Haneda discloses accepting information read from the machine-readable labels, if the accepted information read from the machine-readable labels matches information associated with any one of the one or more records accepted, then generating a first indicator, said first indicator able to be perceived by humans [Haneda, col 23, lines 1-10]

Regarding claim 17, 37 the combination of Enari, Petteruti and Haneda discloses if the accepted information read from the machine-readable labels does not match information associated with any one of the one or more records accepted, then generating a second identifier, said second identifier able to be perceived by humans [Haneda, col 23, lines 1-10, null return]

Regarding claim 19, 39, the combination of Enari, Petteruti and Haneda discloses wherein each of the labels include human-readable part, and wherein the information associated with each of the one or more labels accepted corresponds to the human-readable part of the labels [Haneda, Figs 8 and 9].

Regarding claim 34, the combination of Enari, Petteruti and Haneda discloses means for synchronizing the database with a database maintained by a separate machine which created the storage medium [Haneda, Fig 1, paragraph 36]

Regarding claim 42, the combination of Enari, Petteruti and Haneda discloses wherein the information rendered is related to the label associated with the storage medium storing one or more files identified with the one or more records accepted such that a user or scanner can

distinguish the storage medium including the label from other storage media [Haneda, Fig 2]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 9 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Enari and Petteruti and further in view of Pond et al (US Pat No 4,864,616) Regarding claim 9, 28, the combination of Enari and Petteruti discloses the elements of the claimed invention as noted above but does not disclose wherein the database includes records, each record including a first field having as value associated with the unique volume label, and a second field having a value associated with a file stored on the storage medium. Pond discloses wherein the database includes records, each record including a first field having as value associated with the unique volume label, and a second field having a value associated with a file stored on the storage medium [col 3, lines 35- 55]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the database includes records, each record including a first field having as value associated with the unique volume label, and a second field having a value associated with a file stored on the storage medium as taught by Pond for the purpose of positively identifying a file in storage such that it can be quickly and accurately retrieved.

Claims 18 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Enari, Petteruti and Haneda and further in view of Raistrick et al (US 5,971,279) as best examiner is able to ascertain.

Regarding claim 18, 38, the combination of Enari, Petteruti and Haneda discloses the elements of the claimed invention as noted above but does not disclose wherein the first indicator is a first audible sound, and the second indicator is a second audible sound. Raistrick discloses wherein the first indicator is a first audible sound, and the second indicator is a second audible sound [Fig 3]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include above limitation for the purpose of providing the user with a quick response which does not require an additional eye and/or hand movement.

Response to Arguments

Applicant's arguments filed 10/20/2009, have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday through Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Etienne P LeRoux/
Primary Examiner, Art Unit 2161

12/29/2009